

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

AIR INNOVATIONS, INC.,
formerly known as Floratech Industries, Inc.,

Plaintiff,

Civil Action No.
5:05-CV-335 (NAM/DEP)

vs.

LITTLEFUSE, INC.

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

SHULMAN, CURTIN LAW FIRM
250 South Clinton Street
Suite 502
Syracuse, New York 13202

PAUL J. CURTIN, JR., ESQ.
JOHN J. COUGHLIN, ESQ.

FOR DEFENDANT:

HARRIS, BEACH LAW FIRM
One Park Place
4th Floor
Syracuse, New York 13202

DAVID M. CAPRIOTTI, ESQ.

NORMAN A. MORDUE
U.S. DISTRICT JUDGE

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

I have been informed by Magistrate Judge David E. Peebles that the

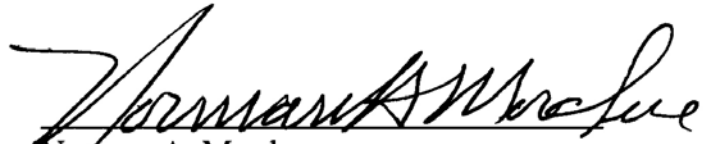
parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED, as follows:

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within three months from the date of this order upon cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action electronically.

Dated: November 3, 2005
Syracuse, New York


Norman A. Mordue
U.S. District Judge